IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 15244 of 2004

&

WRIT PETITION NO : 12260 of 2004

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WRIT PETITION NO : 15244 of 2004

Between:

1 Puli Bhaskar, s/o P.Narsaiah, r/o H.No.3-6-203/10, Gudibandal, Hanumakonda,

Warangal.Vehicle No.AP36-W-0411
2 K.Sanjeeva Reddy, s/o K.Venkat Reddy, r/o H.No.3-14-252, Yadavanagar, Mandal

Hanumakonda, Warangal District.Vehicle No.AP-36-V-9761
3 MD.Haneef @ Md.Haneef Pasha, s/o Md.Shamsuddin, r/o H.No.13-8-66,

Papaiahpet, Matwada, Warangal District.Vehicle No.AP 36 V 9808
4 Md.Abdi Ali, s/o Jaffer Ali, r/o H.No.13-7-141, Papaiahpet Chaman, Matwada, Warangal District. Vehicle No.AP 36 V 9837
5 S.K.Yehoshuva, s/o S.Kornel, r/o H.No.22-3-65, Deshaipet, Warangal, Warangal

District.Vehicle No.AP 36 V 6650 Vehicle No.AP 36 V 6280

..... PETITIONERS

AND

The Secretary, Regional Transport Authority,Warangal, Warangal District.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondent in imposing unreasonable restrictions that the petitioners' autos shall ply outside the limits of Municipal Area i.e., Warangal, Hanumakonda and Kazipet with radius of 60 kms. from the residence of owner excluding prohibited roads in permit as arbitrary, illegal, contrary to law and also in violation of Articles 14, 19(1)(g) and 21 of the Constitution of India and consequently set-aside the unreasonable restrictions.

Counsel for the Petitioners: MR.P.SRIDHAR RAO

Counsel for the Respondent: GP FOR TRANSPORT

WRIT PETITION NO : 12260 of 2004

Between:

M.V.Ramana Rao S/o. M.Venkata Reddy
R/o.P.R Peta, New Colony Jeypore, Koraput District Orissa State.

..... PETITIONER

AND

1 The Transport Commissioner, A.P. B.r.K.R Buildings, Lower Tank Bund,

Hyderabad.
2 The Secretary, Regional Transport Authority Vizianagara, Vizianagaram District.
3 The Motor Vehicles Inspector Vizianagaram, Vizianagaram District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction preferably one in the nature of writ of mandamus declaring that the impugned order of the 2nd respondent
dated 21-1-2004 in his Rc.No.7583/B3/2003 including the Circular Memo No.1/6522/B4/91 of the 1strespondent as one without power and jurisdiction and consequently direct the respondent herein and their subordinate officers not to collect compounding fee/impound the documents of the petitioner's Goods Carriage bearing Registration No.OR.10/A.4668 covered by Goods Carriage permit on the alleged irregularity of using A.P. State as Corridor.

Counsel for the Petitioner: MR.E.MARUTHI RAJA

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following :

COMMON ORDER:

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It is not in dispute that the subject matter of this Writ Petition is squarely covered by the judgment of this Court in W.P.NO.21407 of 2003 and batch, dated 29.11.2004 against the petitioner.

Following the aforesaid judgment of this Court, both these Writ Petitions are dismissed in terms thereof. No costs.

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V. ESWARAIAH, J

Dated:04-04-2005

Ccm

To:

1 The Transport Commissioner, A.P. B.R.K.R Buildings, Lower Tank Bund,

Hyderabad.
2 The Secretary, Regional Transport Authority Vizianagaram, Vizianagaram District.
3 The Motor Vehicles Inspector Vizianagaram, Vizianagaram District.

4 The Secretary, Regional Transport Authority,Warangal, Warangal District.

5 Two CCs to the G.P. for Transport, High Court Buildings, A.P.Hyderabad(OUT)

6 Two CD copies.